

EXHIBIT D

From: [Kevin Rayhill](#)
To: [Riccio, Nicole](#); [Ruby Ponce](#); [gcary@cgsh.com](#); [skaiser@cgsh.com](#); [Park, Jennifer Kennedy](#); [Nyong'o, Heather](#); [Mulqueen, Matt](#); [Baldridge, Adam](#); [Edward.Stanton@butlersnow.com](#); [Garrison, Grady](#); [Roach, Andrew](#); [Coggins, Paul](#); [Gaffney, Brendan P.](#); [McCoy, Jennifer](#)
Cc: [Joseph Saveri](#); [Ronnie Spiegel](#); [Elissa A. Buchanan](#); [David Seidel](#); [Ashleigh Jensen](#); [Yasmin Jayasuriya](#); [Gurjit Aulkh](#); [vturner@bruceturnerlaw.net](#); [dgustafson@gustafsongluek.com](#); [dhedlund@gustafsongluek.com](#); [Dan Nordin](#); [rick@paulllp.com](#); [Sean Cooper](#); [Ashlea Schwarz](#); [Jason Hartley](#); [Fatima Brizuela](#); [hlmontague@bm.net](#); [Eric L. Cramer](#); [Michael Kane](#); [Mark R. Suter](#); [Jon Cuneo](#); [Romanenko, Vicky](#); [kgarvey@dicellolevitt.com](#); [gasciolla@dicellolevitt.com](#); [vbosco@dicellolevitt.com](#); [gerards@bsjfirm.com](#); [beng@bsjfirm.com](#); [belga@justicecatalyst.org](#); [Roberta Liebenberg](#); [Jeffrey Istvan](#); [mrussell@finekaplan.com](#); [nbicks@bpjlaw.com](#); [fthacher@bpjlaw.com](#); [Glover, Karen](#); [aharwell@nealharwell.com](#); [Cbarrett@nealharwell.com](#); [tharwell@nealharwell.com](#)
Subject: RE: Fusion Elite All Stars et al v. Varsity Brands et al and Jones et al. v. Varsity Brands, LLC et al.
Date: Monday, May 16, 2022 3:35:34 PM
Attachments: [image001.jpg](#)

Nicole,

As a courtesy to USASF, Plaintiffs have asked Mr. Owens for alternative dates for the second day of his deposition, since you have indicated that USASF has a conflict on May 18. Mr. Owens has very generously agreed to make himself available for the second day of his deposition on May 25 or May 26, despite the inconvenience this will cause him. Please let us know if either of those dates will work for Defendants.

Kevin

From: Riccio, Nicole <NRiccio@bakerdonelson.com>

Sent: Friday, May 13, 2022 5:37 PM

To: Kevin Rayhill <krayhill@saverilawfirm.com>; Ruby Ponce <rponce@saverilawfirm.com>; [gcary@cgsh.com](#); [skaiser@cgsh.com](#); [Park, Jennifer Kennedy](#) <jkpark@cgsh.com>; [Nyong'o, Heather](#) <hnyongo@cgsh.com>; [Mulqueen, Matt](#) <mmulqueen@bakerdonelson.com>; [Baldridge, Adam](#) <abaldridge@bakerdonelson.com>; [Edward.Stanton@butlersnow.com](#); [Garrison, Grady](#) <ggarrison@bakerdonelson.com>; [Roach, Andrew](#) <aroach@bakerdonelson.com>; [Coggins, Paul](#) <pcoggins@lockelord.com>; [Gaffney, Brendan P.](#) <BGaffney@lockelord.com>; [McCoy, Jennifer](#) <jennifer.mccoy@lockelord.com>

Cc: [Joseph Saveri](#) <jsaveri@saverilawfirm.com>; [Ronnie Spiegel](#) <rspiegel@saverilawfirm.com>; [Elissa A. Buchanan](#) <EABuchanan@saverilawfirm.com>; [David Seidel](#) <dseidel@saverilawfirm.com>; [Ashleigh Jensen](#) <ajensen@saverilawfirm.com>; [Yasmin Jayasuriya](#) <yjayasuriya@saverilawfirm.com>; [Gurjit Aulkh](#) <GAulkh@saverilawfirm.com>; [vturner@bruceturnerlaw.net](#); [dgustafson@gustafsongluek.com](#); [dhedlund@gustafsongluek.com](#); [Dan Nordin](#) <dnordin@gustafsongluek.com>; [rick@paulllp.com](#); [Sean Cooper](#) <sean@paulllp.com>; [Ashlea Schwarz](#) <ashlea@paulllp.com>; [Jason Hartley](#) <hartley@hartleyllp.com>; [Fatima Brizuela](#) <brizuela@hartleyllp.com>; [hlmontague@bm.net](#); [Eric L. Cramer](#) <ecramer@bm.net>; [Michael Kane](#) <mkane@bm.net>; [Mark R. Suter](#) <msuter@bm.net>; [Jon Cuneo](#) <jonc@cuneolaw.com>; [Romanenko, Vicky](#) <vicky@cuneolaw.com>; [kgarvey@dicellolevitt.com](#); [gasciolla@dicellolevitt.com](#); [vbosco@dicellolevitt.com](#); [gerards@bsjfirm.com](#); [beng@bsjfirm.com](#); [belga@justicecatalyst.org](#); [Roberta Liebenberg](#) <rliebenberg@finekaplan.com>; [Jeffrey Istvan](#) <jistvan@finekaplan.com>; [mrussell@finekaplan.com](#); [nbicks@bpjlaw.com](#); [fthacher@bpjlaw.com](#); [Glover, Karen](#) <kglover@bakerdonelson.com>; [aharwell@nealharwell.com](#); [Cbarrett@nealharwell.com](#); [tharwell@nealharwell.com](#)

Subject: RE: Fusion Elite All Stars et al v. Varsity Brands et al and Jones et al. v. Varsity Brands, LLC et al.

Kevin:

While Defendants do not agree with your position and do not agree that the Court's order at ECF No. 159 impacted any of the fact discovery deadlines, in the spirit of compromise, Defendants would agree not to file their motion for protective order if Plaintiffs would agree to complete their questioning of Mr. Owens on May 17, after Defendants conclude their questioning. Please let me know if Plaintiffs are amenable to this approach. To be clear, this should not be construed as an agreement by Defendants that the *Fusion Elite* and *Jones* Plaintiffs may take any other depositions now that fact discovery in those cases has closed.

Separately, if Plaintiffs do not agree to this proposal, I understand your email below to mean that Plaintiffs will not be proceeding with a second day of Mr. Owens' deposition on May 18, but instead are looking for an alternative date. Please confirm that my understanding is correct so that we may narrow the issues for the Court in the event that we are forced to proceed with a motion for protective order.

Nicole Berkowitz Riccio

Associate
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC
165 Madison Avenue, Suite 2000
Memphis, TN 38103
Direct: 901.577.8166
Fax: 901.577.0866
E-mail: nriccio@bakerdonelson.com
www.bakerdonelson.com

Baker, Donelson, Bearman, Caldwell & Berkowitz, PC represents clients across the U.S. and abroad from offices in Alabama, Florida, Georgia, Louisiana, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Texas and Washington, D.C.

From: Kevin Rayhill <krayhill@saverilawfirm.com>

Sent: Thursday, May 12, 2022 11:52 AM

To: Riccio, Nicole <NRiccio@bakerdonelson.com>; Ruby Ponce <rponce@saverilawfirm.com>; gcary@cgsh.com; skaiser@cgsh.com; Park, Jennifer Kennedy <jkpark@cgsh.com>; Nyong'o, Heather <hnyongo@cgsh.com>; Mulqueen, Matt <mmulqueen@bakerdonelson.com>; Baldridge, Adam <abaldridge@bakerdonelson.com>; Edward.Stanton@butlersnow.com; Garrison, Grady <ggarrison@bakerdonelson.com>; Roach, Andrew <aroach@bakerdonelson.com>; Coggins, Paul <pcoggins@lockelord.com>; Gaffney, Brendan P. <BGaffney@lockelord.com>; McCoy, Jennifer <jennifer.mccoy@lockelord.com>

Cc: Joseph Saveri <jsaveri@saverilawfirm.com>; Ronnie Spiegel <rspiegel@saverilawfirm.com>; Elissa A. Buchanan <EABuchanan@saverilawfirm.com>; David Seidel <dseidel@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Yasmin Jayasuriya <yjayasuriya@saverilawfirm.com>; Gurjit Aulkh <GAulkh@saverilawfirm.com>; vturner@bruceTURNERlaw.net; dgustafson@gustafsongluek.com; dhedlund@gustafsongluek.com; Dan Nordin

<dnordin@gustafsongluek.com>; rick@paulllp.com; Sean Cooper <sean@paulllp.com>; Ashlea Schwarz <ashlea@paulllp.com>; Jason Hartley <hartley@hartleyllp.com>; Fatima Brizuela <brizuela@hartleyllp.com>; hlmontague@bm.net; Eric L. Cramer <ecramer@bm.net>; Michael Kane <mkane@bm.net>; Mark R. Suter <msuter@bm.net>; Jon Cuneo <[jnc@cuneolaw.com](mailto:jonc@cuneolaw.com)>; Romanenko, Vicky <vicky@cuneolaw.com>; kgarvey@dicellolevitt.com; gasciolla@dicellolevitt.com; vbosco@dicellolevitt.com; gerards@bsjfirm.com; beng@bsjfirm.com; belga@justicecatalyst.org; Roberta Liebenberg <rliebenberg@finekaplan.com>; Jeffrey Istvan <jistvan@finekaplan.com>; mrussell@finekaplan.com; nbicks@bpjlaw.com; ftacher@bpjlaw.com; Glover, Karen <kglover@bakerdonelson.com>; aharwell@nealharwell.com; Cbarrett@nealharwell.com; tharwell@nealharwell.com

Subject: RE: Fusion Elite All Stars et al v. Varsity Brands et al and Jones et al. v. Varsity Brands, LLC et al.

Nicole,

As a courtesy to USASF, Plaintiffs are looking into different dates for a potential second day of testimony for Mr. Owens. We will let you know if a different date is a possibility.

Obviously, we do not agree that our notice is null and void. As I pointed out in my earlier email, the Court expressly authorized Plaintiffs in any of the related cases to depose witnesses noticed in any of the other cases. ECF No. 159. USASF's attempt to interfere with Plaintiffs' right to depose Mr. Owens is in direct contravention of the Court's order.

Plaintiffs will oppose a motion for a protective order and sanctions should you choose to go forward with it. I am happy to get on a phone call and discuss the issues with you if you would like.

Sincerely,

Kevin E. Rayhill
Associate Attorney

JOSEPH SAVERI

LAW FIRM

M

601 California Street, Suite 1000
San Francisco, CA 94108
T 415.500.6800 x804
F 415.395.9940

From: Riccio, Nicole <NRiccio@bakerdonelson.com>

Sent: Wednesday, May 11, 2022 4:12 PM

To: Kevin Rayhill <krayhill@saverilawfirm.com>; Ruby Ponce <rponce@saverilawfirm.com>;

gcary@cgsh.com; skaiser@cgsh.com; Park, Jennifer Kennedy <jkpark@cgsh.com>; Nyong'o, Heather <hnyongo@cgsh.com>; Mulqueen, Matt <mmulqueen@bakerdonelson.com>; Baldridge, Adam <abaldridge@bakerdonelson.com>; Edward.Stanton@butlersnow.com; Garrison, Grady <ggarrison@bakerdonelson.com>; Roach, Andrew <aroach@bakerdonelson.com>; Coggins, Paul <pcoggins@lockelord.com>; Gaffney, Brendan P. <BGaffney@lockelord.com>; McCoy, Jennifer <jennifer.mccoy@lockelord.com>

Cc: Joseph Saveri <jsaveri@saverilawfirm.com>; Ronnie Spiegel <rspiegel@saverilawfirm.com>; Elissa A. Buchanan <EABuchanan@saverilawfirm.com>; David Seidel <dseidel@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Yasmin Jayasuriya <yjayasuriya@saverilawfirm.com>; Gurjit Aulkh <GAulkh@saverilawfirm.com>; vturner@bruceturnerlaw.net; dgustafson@gustafsongluek.com; dhedlund@gustafsongluek.com; Dan Nordin <dnordin@gustafsongluek.com>; rick@paulllp.com; Sean Cooper <sean@paulllp.com>; Ashlea Schwarz <ashlea@paulllp.com>; Jason Hartley <hartley@hartleyllp.com>; Fatima Brizuela <brizuela@hartleyllp.com>; hlmontague@bm.net; Eric L. Cramer <ecramer@bm.net>; Michael Kane <mkane@bm.net>; Mark R. Suter <msuter@bm.net>; Jon Cuneo <jonc@cuneolaw.com>; Romanenko, Vicky <vicky@cuneolaw.com>; kgarvey@dicellolevitt.com; gasciolla@dicellolevitt.com; vbosco@dicellolevitt.com; gerards@bsjfirm.com; beng@bsjfirm.com; belga@justicecatalyst.org; Roberta Liebenberg <rliebenberg@finekaplan.com>; Jeffrey Istvan <jistvan@finekaplan.com>; mrussell@finekaplan.com; nbicks@bpjlaw.com; fthacher@bpjlaw.com; Glover, Karen <kglover@bakerdonelson.com>; aharwell@nealharwell.com; Cbarrett@nealharwell.com; tharwell@nealharwell.com

Subject: RE: Fusion Elite All Stars et al v. Varsity Brands et al and Jones et al. v. Varsity Brands, LLC et al.

Kevin:

Plaintiff's cross-notice is null and void and in violation of the Court's scheduling order. The date for Mr. Owens' deposition has been confirmed since April 8, yet Plaintiffs never previously indicated an intention to cross-notice or sought leave from the Court to do so after the close of fact discovery. Further, although Mr. Owens was scheduled for a normal Federal Rules deposition of one-day of seven hours on May 17, Defendants never agreed (or were even asked) by anyone to be available for a second day on May 18. It is this second day which presents a scheduling conflict, and Defendants absolutely have standing to object to this second day as parties to these lawsuits.

Your email below makes clear that Plaintiffs have no intention of accommodating this scheduling conflict and is not in the spirit of the Local Rules or the Court's Guidelines for Professional Courtesy and Conduct. Defendants intend to file a motion for protective order and for sanctions with the Court. In the absence of a Court order permitting a continuation onto May 18, anything that happens that day will not be a deposition and will not be usable as such. Based on your email below, we assume you will oppose our motion, but if there is room for further discussion, please let me know. Defendants reserve their rights to seek further relief as necessary.

Nicole Berkowitz Riccio

Associate
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC
165 Madison Avenue, Suite 2000
Memphis, TN 38103
Direct: 901.577.8166
Fax: 901.577.0866
E-mail: nriccio@bakerdonelson.com
www.bakerdonelson.com

Baker, Donelson, Bearman, Caldwell & Berkowitz, PC represents clients across the U.S. and abroad from offices in Alabama, Florida, Georgia, Louisiana, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Texas and Washington, D.C.

From: Kevin Rayhill <krayhill@saverilawfirm.com>

Sent: Tuesday, May 10, 2022 6:47 PM

To: Riccio, Nicole <NRiccio@bakerdonelson.com>; Ruby Ponce <rponce@saverilawfirm.com>; gcary@cgsh.com; skaiser@cgsh.com; Park, Jennifer Kennedy <jkpark@cgsh.com>; Nyong'o, Heather <hnyongo@cgsh.com>; Mulqueen, Matt <mmulqueen@bakerdonelson.com>; Baldridge, Adam <abaldridge@bakerdonelson.com>; Edward.Stanton@butlersnow.com; Garrison, Grady <ggarrison@bakerdonelson.com>; Roach, Andrew <aroach@bakerdonelson.com>; Coggins, Paul <pcoggins@lockelord.com>; Gaffney, Brendan P. <BGaffney@lockelord.com>; McCoy, Jennifer <jennifer.mccoy@lockelord.com>

Cc: Joseph Saveri <jsaveri@saverilawfirm.com>; Ronnie Spiegel <rspiegel@saverilawfirm.com>; Elissa A. Buchanan <EABuchanan@saverilawfirm.com>; David Seidel <dseidel@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Yasmin Jayasuriya <yjayasuriya@saverilawfirm.com>; Gurjit Aulkh <GAulkh@saverilawfirm.com>; vturner@bruceturnerlaw.net; dgustafson@gustafsongluek.com; dhedlund@gustafsongluek.com; Dan Nordin <dnordin@gustafsongluek.com>; rick@paulllp.com; Sean Cooper <sean@paulllp.com>; Ashlea Schwarz <ashlea@paulllp.com>; Jason Hartley <hartley@hartleyllp.com>; Fatima Brizuela <brizuela@hartleyllp.com>; hlmontague@bm.net; Eric L. Cramer <ecramer@bm.net>; Michael Kane <mkane@bm.net>; Mark R. Suter <msuter@bm.net>; Jon Cuneo <jonc@cuneolaw.com>; Romanenko, Vicky <vicky@cuneolaw.com>; kgarvey@dicellolevitt.com; gasciolla@dicellolevitt.com; vbosco@dicellolevitt.com; gerards@bsjfirm.com; beng@bsjfirm.com; belga@justicecatalyst.org; Roberta Liebenberg <rliebenberg@finekaplan.com>; Jeffrey Istvan <jistvan@finekaplan.com>; mrussell@finekaplan.com; nbicks@bpjlaw.com; fthacher@bpjlaw.com; aharwell@nealharwell.com; Cbarrett@nealharwell.com; tharwell@nealharwell.com

Subject: RE: Fusion Elite All Stars et al v. Varsity Brands et al and Jones et al. v. Varsity Brands, LLC et al.

Nicole,

Paragraph 5 of the Court's Order Granting Plaintiffs' Joint Motion to Facilitate Coordination of Depositions in the Related Actions states, "Plaintiffs in any one of the Related Actions may attend and question witnesses at depositions noticed in any of the other Related Actions." ECF No. 159. As you know, the date for Mr. Owens's deposition was set for May 17 in the notice sent by Varsity. Plaintiffs did not choose the date. To the extent that USASF has an issue with the date the problem lies with Varsity, not with Plaintiffs. Regarding the length of the deposition, Defendants have no standing to object to the length of the Owens deposition (or for that matter the date) as he is not Defendants' witness. The witness has agreed to sit for two days.

Sincerely,

Kevin E. Rayhill
Associate Attorney

JOSEPH SAVERI

LA
W FIRM

601 California Street, Suite 1000
San Francisco, CA 94108
T 415.500.6800 x804
F 415.395.9940

From: Riccio, Nicole <NRiccio@bakerdonelson.com>

Sent: Tuesday, May 10, 2022 7:30 AM

To: Ruby Ponce <rponce@saverilawfirm.com>; gcary@cgsh.com; skaiser@cgsh.com; Park, Jennifer Kennedy <jkpark@cgsh.com>; Nyong'o, Heather <hnyongo@cgsh.com>; Mulqueen, Matt <mmulqueen@bakerdonelson.com>; Baldrige, Adam <abaldrige@bakerdonelson.com>; Edward.Stanton@butlersnow.com; Garrison, Grady <ggarrison@bakerdonelson.com>; Roach, Andrew <aroach@bakerdonelson.com>; Coggins, Paul <pcoggins@lockelord.com>; Gaffney, Brendan P. <BGaffney@lockelord.com>; McCoy, Jennifer <jennifer.mccoy@lockelord.com>

Cc: Joseph Saveri <jsaveri@saverilawfirm.com>; Ronnie Spiegel <rspiegel@saverilawfirm.com>; Kevin Rayhill <krayhill@saverilawfirm.com>; Elissa A. Buchanan <EABuchanan@saverilawfirm.com>; David Seidel <dseidel@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Yasmin Jayasuriya <yjayasuriya@saverilawfirm.com>; Gurjit Aulkh <GAulkh@saverilawfirm.com>; vturner@bruceturnerlaw.net; dgustafson@gustafsongluek.com; dhedlund@gustafsongluek.com; Dan Nordin <dnordin@gustafsongluek.com>; rick@paulllp.com; Sean Cooper <sean@paulllp.com>; Ashlea Schwarz <ashlea@paulllp.com>; Jason Hartley <hartley@hartleyllp.com>; Fatima Brizuela <brizuela@hartleyllp.com>; hlmontague@bm.net; Eric L. Cramer <ecramer@bm.net>; Michael Kane <mkane@bm.net>; Mark R. Suter <msuter@bm.net>; Jon Cuneo

<jonc@cuneolaw.com>; Romanenko, Vicky <vicky@cuneolaw.com>;
kgarvey@dicellolevitt.com; gasciolla@dicellolevitt.com; vbosco@dicellolevitt.com;
gerards@bsjfirm.com; beng@bsjfirm.com; belga@justicecatalyst.org; Roberta
Liebenberg <rliebenberg@finekaplan.com>; Jeffrey Istvan
<jistvan@finekaplan.com>; mrussell@finekaplan.com; nbicks@bpjlaw.com;
ftthacher@bpjlaw.com; aharwell@nealharwell.com; Cbarrett@nealharwell.com;
tharwell@nealharwell.com

Subject: RE: Fusion Elite All Stars et al v. Varsity Brands et al and Jones et al. v.
Varsity Brands, LLC et al.

Counsel:

Defendants object to the Cross-Notice of David Owens served today in *Fusion Elite* and *Jones*. As Plaintiffs are aware, the deadline for fact discovery in the *Fusion Elite* and *Jones* matters closed on April 18, 2022, with limited exceptions. Prior to the close of fact discovery, Plaintiffs did not notice Mr. Owens' deposition or move the Court for leave to take his deposition. Further, as the Plaintiffs are well aware, Rule 30(d)(1) limits depositions to "1 day of 7 hours" unless otherwise stipulated or ordered by the Court. Defendants do not stipulate to Mr. Owens' deposition lasting more than 7 hours. Moreover, yesterday was the first time that anyone has indicated that Mr. Owens' deposition would extend into a second day, and counsel for USASF has a scheduling conflict on May 18 and is not available on that day.

Please let us know whether Plaintiffs will be withdrawing their cross-notice for Mr. Owens. Defendants reserve all rights to seek relief from the Court.

Nicole Berkowitz Riccio

Associate
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC
165 Madison Avenue, Suite 2000
Memphis, TN 38103
Direct: 901.577.8166
Fax: 901.577.0866
E-mail: nriccio@bakerdonelson.com
www.bakerdonelson.com

Baker, Donelson, Bearman, Caldwell & Berkowitz, PC represents clients across the U.S. and abroad from offices in Alabama, Florida, Georgia, Louisiana, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Texas and Washington, D.C.

From: Ruby Ponce <rponce@saverilawfirm.com>

Sent: Monday, May 9, 2022 5:39 PM

To: gcary@cgsh.com; skaiser@cgsh.com; Park, Jennifer Kennedy
<jkpark@cgsh.com>; Nyong'o, Heather <hnyongo@cgsh.com>; Mulqueen,
Matt <mmulqueen@bakerdonelson.com>; Baldridge, Adam
<abaldridge@bakerdonelson.com>; Edward.Stanton@butlersnow.com;
Garrison, Grady <ggarrison@bakerdonelson.com>; Riccio, Nicole
<NRiccio@bakerdonelson.com>; Roach, Andrew
<aroach@bakerdonelson.com>; Coggins, Paul <pcoggins@lockelord.com>;
Gaffney, Brendan P. <BGaffney@lockelord.com>; McCoy, Jennifer

<jennifer.mccoy@lockelord.com>

Cc: Joseph Saveri <jsaveri@saverilawfirm.com>; Ronnie Spiegel <rspiegel@saverilawfirm.com>; Kevin Rayhill <krayhill@saverilawfirm.com>; Elissa A. Buchanan <EABuchanan@saverilawfirm.com>; David Seidel <dseidel@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Yasmin Jayasuriya <yjayasuriya@saverilawfirm.com>; Gurjit Aulkh <GAulkh@saverilawfirm.com>; vturner@bruceturnerlaw.net; dgustafson@gustafsongluek.com; dhedlund@gustafsongluek.com; Dan Nordin <dnordin@gustafsongluek.com>; rick@paulllp.com; Sean Cooper <sean@paulllp.com>; Ashlea Schwarz <ashlea@paulllp.com>; Jason Hartley <hartley@hartleyllp.com>; Fatima Brizuela <brizuela@hartleyllp.com>; hlmontague@bm.net; Eric L. Cramer <ecramer@bm.net>; Michael Kane <mkane@bm.net>; Mark R. Suter <msuter@bm.net>; Jon Cuneo <jonc@cuneolaw.com>; Romanenko, Vicky <vicky@cuneolaw.com>; kgarvey@dicellolevitt.com; gasciolla@dicellolevitt.com; vbosco@dicellolevitt.com; gerards@bsjfirm.com; beng@bsjfirm.com; belga@justicecatalyst.org; Roberta Liebenberg <rliebenberg@finekaplan.com>; Jeffrey Istvan <jistvan@finekaplan.com>; mrussell@finekaplan.com; nbicks@bpjlaw.com; fthacher@bpjlaw.com; aharwell@nealharwell.com; Cbarrett@nealharwell.com; tharwell@nealharwell.com

Subject: Fusion Elite All Stars et al v. Varsity Brands et al and Jones et al. v. Varsity Brands, LLC et al.

Counsel,

Attached please find the following regarding the above-noted matters:

- Plaintiffs' Cross Notice of Deposition of David Owens

Thank you,

Ruby Vazquez-Ponce
Paralegal



601 California Street, Suite
1000
San Francisco, CA 94108
T 415.500.6800 x809
F 415.395.9940

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

NOTICE: This electronic mail transmission with any attachments may constitute an attorney-client communication, protected health information (PHI) or other confidential information that is in fact confidential, legally protected from disclosure and/or protected by the attorney-client privilege. If you are the intended recipient, please maintain confidentiality and be aware that forwarding this e-mail to others may result in a waiver of these protections and privileges and regardless electronic communications may be at times illegally accessed and viewed. If you are not the intended recipient, this e-mail is not intended for transmission to you, nor to be read, reviewed, used, distributed or even received by you or any other unauthorized persons. If you have received this electronic mail transmission in error, please double delete it from your system immediately without copying, reading or disseminating it, and notify the sender by reply e-mail, so that our address record can be corrected. Thank you very much.